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BEFORE THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

Docket Nos. 2016-334-E, 2008-196-E

IN RE:	BYPAS INTERNATIONAL Complainant/ Petitioner v SCANA (NYSE:SCG)/ South Carolina Electric & Gas Company and The Electric Cooperatives of South Carolina, Inc. Defendants/Respondents	MOTION FOR SUMMARY JUDGMENT
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I, Joseph Wojcicki, U.S. citizen and relator of False Claimed Application of S.C. Base Load Review Act (FCA of BLRA) respectfully request the Summary Judgment in this SCANA (NYSE:SCG) white-collar crimes' case.

In a scandal of this magnitude, the use of standing or other legalese type factors or limitation used to abuse of the legal and regulatory systems that has being used here, are beyond the simple common laws and justice and cannot serve to allow another extension of time and especially the granting of a 9th electric rate increase.

PURPOSE AND NECESSITY.

1. Restoration of common justice.
2. Ending SCANA (NYSE:SCG) mega-sandal and the ring of organized crimes.
3. In 2016 the SCANA team of white-collar criminals, pretending to represent SCE&G blue-collar working employees, requested the 9th electric rate increase that must not only be stopped, but common justice requires reverse "engineering" in order to return the billions of dollars stolen from millions of victims since 2008.
4. The financial and project managerial mess in the constructions were created from FCA of BLRA. Reparations must be done quickly by SC regulatory and judicial systems. This request must be recognized in all 2016 dockets associated with Jenkinsville project.
5. Today, the Public Service Commissioners (PSC) have only two options: stand for justice and return the stolen billions of dollars to the victims, or stay with SCANA in this white-collar crime. *Tertium non datur*. It has been eight years of brutal/illegal and unnecessary (in 2008 there were available Bush-Obama nuclear renaissance stimulus funds) robbery of SC peoples, SC and US economy.

ARGUMENTS and FACTS.

1. The signing of the Settlement Agreement by S.C. Office of Regulatory Staff's (ORS) must be found as illegal from definition of ORS missions: *To represent the public interest in utility regulation by balancing the concerns of the using and consuming public, the financial integrity of public utilities, and the economic development of South Carolina.*

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There is no doubt that ORS never represented all of the missions in this Jenkinsville project. Briefly: (a) SC public interest has been always in the usage of federal funds; (b) SCANA Corporation put SCE&G utility in jeopardy; (c) over \$3 Billion have already been removed from SC economy. Much of the amount, from those most unable to afford it.

2. ORS received several alarming messages about FCA of BLRA. In 2014 ORS was challenged with Wojcicki's Declaration. Avoiding answers about FCA of BLRA in 2015 has also proven this walkover. Blindly following, even by clearly visible obstruction of justice used by SCANA lawyers, cannot be an excuse for following these errors by PSC directives and orders. All of them ended in another illegal rates increases. Eight of them to date.
3. Legal and other employees from ORS must not be excused for acting as laypersons, i.e. claiming "I know nothing about FCA of BLRA". These ORS representatives are required to know and understand in order to supply PSC with recommendations.
4. SCANA was responsible in handling the crisis on the construction site. PSC saw examples of this at the October 2016 hearing with docket 2016-223-E. SCANA representatives avoided and evaded answering direct questions regarding the cost passed onto the ratepayers because one direct answer would have admitted to their flagrant disregard for SCE&G ratepayers, and the other direct answer would have proven perjury. The financial punishment with lowering ROE from 10.50% to 10.25% is just another slap in the face of each of the victims of this mega-scandal.
5. None of construction firm representatives were present in the Settlement Agreement, nor did any of them sign Settlement Agreement. No guarantee of end of this mess that has already led to, so far, a three-year delay compared to China's twin project.
6. Approving ORS settlement right now would be a suicidal move by the Commission. The ORS has tied it's hands in the future by signing this settlement document.
7. An excellent support for this summary judgment is given in Mr. Matthew W. Gissendanner's Motion dated October 14, 2016.

7.1. He listed almost all his Opposition by referring to Mr. Wojcicki's Petitions and Motions, proving an abuse of the system. As such, now we have a better view of the FCA of BLRA "life" in this process. The facts never received logical pleading / explanations just blocking "denials"

7.2. His clearly copied and paste an almost educational explanation how to write complaint is *de facto* fulfilled in original Complaint's two-page Briefing. One just can read to find such important fact that BLRA was and is used for non-base load nuclear plant to fraudulently rob SCE&G ratepayers. It is possible that somebody (his helper/assistant) did not read the Complaint.

7.3. Asking to annul previously set dates for docket 2016-334-E is criminal attempt to get another hundreds of millions of dollars more from victims and, obviously, to catch the misled PSC in this well-organized crime.

7.4. The 9th rate increase will extend the number of victims to SC Electric Coops ratepayers including misrepresented Santee Cooper ratepayers.

7.5. Lacking answers for FCA of BLRA creates a similar walkover, because SCANA legal team already knows of this finding and also knows that there are no (zero) lines of defense.

7.6. It also seems that Mr. Gissendanner signed his Motions without reading. From my educational experience, I could recognize where some students copied

and paste text from their friends. It is interesting how both SCANA lawyers could do such manipulations with such illogical, meaningless writings. Of course, there are too many laypersons in this big project. My questioning ORS and SCANA experts in 2008-2009 hearings put me to their list of enemies that is true. I believe that I had to do something good to SCANA victims in SC my new home since 1985. Mr. Marsh, SCANA CEO and Mr. Gissendanner boss probably will grade his present work with "F". For victims, the PSC grading is important.

8. SCANA lawyers' tactic is to be hidden behind SCE&G Company almost always and here in Mr. Matthew W. Gissendanner's Motion where SCANA becomes "Company" or "SCE%G". On Page 5 SCANA's Mr. Gissendanner wants to protect SCE&G from Wojcicki while *de facto* SCE&G and its customers shall be protected from SCANA "cancer".
9. PSC, in the well-understood public interest, could be removed from some responsibility of errors made since 2008 because SCANA organized crime ring absorbed ORS with its laypersons. Of course "we know nothing about FCA of BLRA" cannot indefinitely rob millions of victims.
10. Let me use "ad absurdum" analogue: Mr. Gissendanner (SCANA white-collar crime layperson) is requesting sanctions as Nazis in Nuremberg trial could ask to sanction for harassment from US judges or jailers. It would be in his (Mr. Gissendanner) law but not in SCANA victims' right to self-defense against long lasting illegal overcharging created by FCA of BLRA.
11. Mr. Gissendanner cannot see his SCANA Room in USC building, he cannot see water flowing under the Gervais Street Bridge in Columbia below 5000 fps for weeks, etc. Those kinds of arguments were described in Enron's scandal as "idiotic defenses". And here he sees them as "manifested deficiency" (Page 8)
12. Mr. Gissendanner's authorized practice of law led to SCANA mega-scandal. None of SCANA representing lawyers could learn basic science with definition of "base load" therefore in entire process nobody else brought to read and understand BLRA definition. As a result, we still have millions of victims of this multi-billion fraud.
13. Finally, we have to understand that Mr. Matthew W. Gissendanner *de facto* does not represent SCE&G but SCANA and himself, taking stolen money for their bonuses.

PROPOSED ORDER ORGANIZATION. STAGES OF EXECUTION.

1. Immediate actions to order return of stolen money to all victims with adequate punitive damages (3-10 times in SC)
2. Next stages: administrative - criminal - ethical - final punitive actions - reforms or liquidation the monopolistic system (e.g. smart grid)

CONCLUSION.

- The common law that support this judgment is "Thou shalt not steal"

- Relief sought from False Claim Act
- The results of "Grand Jury's" voting are practically found in over 1,400 protests recorded in docket 2016-223-E.

Sincerely,

Joseph Wojcicki

Columbia, Thursday, October 27, 2016

NOTES of SERVICE:

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